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2 **THE GALLAGHER LAW FIRM**
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7 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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12 IN RE: BEXTRA AND CELEBREX
13 MARKETING SALES PRACTICES AND
14 PRODUCT LIABILITY LITIGATION

Case No. 08-3640 CRB

MDL NO. 1699

District Judge: Charles R. Breyer

15 Thad Waites, et al.,

16 Plaintiffs,

17 vs.

18 Pfizer Inc., et al.

19 Defendants.

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21 **STIPULATION AND ORDER OF**
22 **DISMISSAL WITH PREJUDICE**

23 Come now the Plaintiff, Thad Waites, and Defendants, by and through the undersigned
24 attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the
25 dismissal of this action **with prejudice** as to the plaintiff named herein only with each side
26 bearing its own attorneys' fees and costs.

27 DATED: Jan. 12, 2010

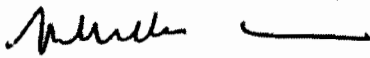
THE GALLAGHER LAW FIRM

28 By: 

Michael T. Gallagher
Attorneys for Plaintiffs

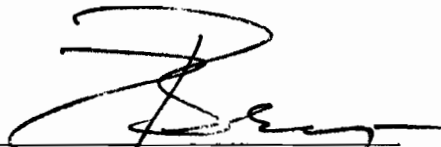
1 DATED: Jan. 12, 2010

DLA PIPER LLP (US)

2 By: 
3 Michelle W. Sadowsky
4 *Attorneys for Defendants*

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7 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
8 IT IS SO ORDERED.**

9 Dated: FEB 17 2010


10 Hon. Charles R. Breyer
11 United States District Court
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